

**CALENDAR ITEM
C63**

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S 4

06/23/11
WP 4510.1
N. Lee

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT:

PacifiCorp, dba Pacific Power
825 NE Multnomah, Suite 1700
Portland, OR 97232

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Klamath River, adjacent to Assessor's Parcel Number 140-130-28, near the town of Klamath, Del Norte County.

AUTHORIZED USE:

Continued use and maintenance of an existing overhead 12.5 Kilovolt (kV) electrical power distribution line as shown on the attached Exhibit A.

LEASE TERM:

25 years, beginning May 20, 2010.

CONSIDERATION:

\$130 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$2,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On July 6, 1995, the Commission authorized a General Lease – Right-of-Way Use with PacifiCorp for an existing power line that feeds from the Yurok Substation and supplies electric power to the Klamath area. The lease expired May 19, 2010. The Applicant is now applying for a new General Lease – Right-of-Way Use.

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3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Site and Location Map
- B. Land Description

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301.

SIGNIFICANT LAND INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Right-of-Way Use to PacifiCorp, dba Pacific Power, beginning May 20, 2010, for a term of 25 years, for the continued use and maintenance of an existing overhead 12.5 kV electrical power distribution line as shown on Exhibit A (for reference purposes only) and described in Exhibit B attached and by this reference made a part hereof; annual rent in the amount of \$130 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$2,000,000.